

REMARKS

This responds to the Office Action dated October 1, 2007.

No claims are amended, no claims are canceled, and no claims are added; thus, claims 1- 46 remain pending in this application. Detailed responses to the rejections are as follows:

§102 Rejection of the Claims

Claims 1, 4-11, 16-17 and 42-45 were rejected under 35 U.S.C. § 102(b) for anticipation by Olsen (US 6,430,296). Applicant respectfully traverses.

Claim 1

The rejection of claim 1 asserts that Olsen teaches all of the elements of claim 1. The rejection states that Olsen provides “. . . a microphone housing (4, 5) adapted to mount to the housing (1, 2) and the access port, a receiver (7) and a fastener or pin (25, figures 6, 7, 10) as a unitary connector of the cover (3) and microphone housing (4, 5) to the housing (figures 1, 2).” Applicant respectfully traverses any assertion that Olsen provides, among other things, a unitary connector of a cover and a microphone housing to a housing, as recited by claim 1. Applicant respectfully submits that Olsen relates to a “socket part 11” of the electronic module 4 that is retained by the face plate (col. 2, lines 20-30, col. 3, lines 14-22). Olsen continues in cols. 3 and 4 to state how the socket part 11 is retained by the engagement of resilient lugs 19 with tracks 14 and 15 (see for example, col. 3, lines 55-67). Thus, Olsen teaches away from a unitary connector as recited in claim 1. As a result, it is respectfully submitted that Olsen cannot form a proper reference for an anticipation rejection or an obviousness rejection. Consequently, reconsideration and allowance of claim 1 are respectfully requested.

Claims 4-11 and 16-17

Claims 4-11 and 16-17 depend ultimately on independent claim 1, and are believed to be allowable over Olsen at least for the reasons stated above regarding claim 1. Applicant respectfully requests reconsideration and allowance of claims 4-11 and 16-17.

Claim 42

The rejection of claim 42 asserts that Olsen teaches all of the elements of claim 42. The rejection states that Olsen provides “. . . a microphone housing (4, 5) adapted to mount to the housing (1, 2) and the access port, a receiver (7) and a fastener or pin (25, figures 6, 7, 10) as a unitary connector of the cover (3) and microphone housing (4, 5) to the housing (figures 1, 2).” Applicant respectfully traverses any assertion that Olsen provides, among other things, a unitary connector of a cover and a microphone housing to a housing, as recited by claim 42. Applicant respectfully submits that Olsen relates to a “socket part 11” of the electronic module 4 that is retained by the face plate (col. 2, lines 20-30, col. 3, lines 14-22). Olsen continues in cols. 3 and 4 to state how the socket part 11 is retained by the engagement of resilient lugs 19 with tracks 14 and 15 (see for example, col. 3, lines 55-67). Thus, Olsen teaches away from a unitary connector as recited in claim 42. As a result, it is respectfully submitted that Olsen cannot form a proper reference for an anticipation rejection or an obviousness rejection. Consequently, reconsideration and allowance of claim 42 are respectfully requested.

Claims 43-45

Claims 43-45 ultimately depend on independent claim 42 and are believed to be allowable over Olsen at least for the reasons stated above regarding claim 42. Applicant respectfully requests reconsideration and allowance of claims 43-45.

§103 Rejection of the Claims

Claims 2-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen. Applicant respectfully traverses the rejection. Claims 2-3 depend, either directly or indirectly, on independent claim 1, and are believed to be in condition for allowance at least for the reasons provided with respect to claim 1. Applicant further respectfully submits that Olsen teaches away from the present subject matter, as set forth above, and is therefore improperly combined with any other reference to make an obviousness rejection. Reconsideration and withdrawal of the rejection using Olsen are respectfully requested.

Claims 12-15 and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen in view of Hanright (US 5,799,095) or Robinson et al. (US 6,678,386). Claims 12-15 depend, either directly or indirectly, on independent claim 1, and are believed to be in condition for allowance at least for the reasons provided with respect to claim 1. Applicant further respectfully submits that Olsen teaches away from the present subject matter, as set forth above, and is therefore improperly combined with any other reference to make an obviousness rejection. Reconsideration and withdrawal of the rejection using Olsen are respectfully requested.

Claim 46 depends, either directly or indirectly, on independent claim 42, and are believed to be in condition for allowance at least for the reasons provided with respect to claim 42. Applicant further respectfully submits that Olsen teaches away from the present subject matter, as set forth above, and is therefore improperly combined with any other reference to make an obviousness rejection. Reconsideration and withdrawal of the rejection using Olsen are respectfully requested.

Claims 18-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen. Claims 18-19 depend, either directly or indirectly, on independent claim 1, and are believed to be in condition for allowance at least for the reasons provided with respect to claim 1. Applicant further respectfully submits that Olsen teaches away from the present subject matter, as set forth above, and is therefore improperly combined with any other reference to make an obviousness rejection. Reconsideration and withdrawal of the rejection using Olsen are respectfully requested.

Assertions of What Would Have Been Obvious to One of Ordinary Skill in the Art

Applicant timely traverses assertions of what would have been obvious to one of ordinary skill in the art as made in the obviousness rejections based on the forgoing noted defects in the cited references, and in particular in view of the Olsen reference teaching away from the present subject matter. Reconsideration and withdrawal of these assertions are kindly requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6912 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 1st day of February 2008.

Timothy E. Bianchi
